

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TENNESSEE
Western Division

FILED BY *MK* D.C.

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THOMAS M. GOULD
CLERK, U.S. DISTRICT COURT
WD OF TN. MEMPHIS

UNITED STATES OF AMERICA

-vs-

Case No. 2:05cr20413-Ma

FRED ERBY

ORDER OF TEMPORARY DETENTION
PENDING HEARING¹ PURSUANT TO
BAIL REFORM ACT

Upon motion of the Government, it is ORDERED that a detention hearing is set for **TUESDAY, DECEMBER 27, 2005 at 3:00 P.M.** before United States Magistrate Judge **Tu M. Pham** in **Courtroom No. 6, Third Floor**, United States Courthouse and Federal Building, 167 North Main, Memphis, TN. Pending this hearing, the defendant shall be held in custody by the United States Marshal and produced for the hearing.

Date: December 21, 2005



TU M. PHAM
UNITED STATES MAGISTRATE JUDGE

¹If not held immediately upon defendant's first appearance, the hearing may be continued for up to three days upon motion of the government, or up to five days upon motion of the defendant. 18 U.S.C. § 3142(f)(2).

A hearing is required whenever the conditions set forth in 18 U.S.C. § 3142(f) are present. Subsection (1) sets forth the grounds that may be asserted only by the attorney for the government; subsection (2) states that a hearing is mandated upon the motion of the attorney for the government or upon the judicial officer's own motion, if there is a serious risk that the defendant (a) will flee or (b) will obstruct or attempt to obstruct justice, or threaten, injure, or intimidate or attempt to threaten, injure, or intimidate a prospective witness or juror.



Notice of Distribution

This notice confirms a copy of the document docketed as number 7 in case 2:05-CR-20413 was distributed by fax, mail, or direct printing on December 27, 2005 to the parties listed.

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Honorable Samuel Mays
US DISTRICT COURT